

1 Rafey S. Balabanian (SBN 315962)
rbalabanian@edelson.com
2 EDELSON PC
150 California Street, 18th Floor
3 San Francisco, California 94111
Tel: 415.212.9300
4 Fax: 415.373.9435

5 *Counsel for Plaintiffs David Melvin, J.L., and Putative Class*

6
7
8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 **IN RE 23ANDME, INC. CUSTOMER**
13 **DATA SECURITY BREACH LITIG.**

14 This Document Relates to:
15 *Melvin et al v 23andMe, Inc.*, Case No. 24-
16 cv-00487-EMC

Case No.: 24-md-03098-EMC

17 **MELVIN PLAINTIFFS' NOTICE OF**
18 **FILING OF MOTION TO APPOINT**
19 **INTERIM LEADERSHIP OF CLASS**
20 **ACTION**

**NOTICE OF FILING OF MOTION TO APPOINT INTERIM LEADERSHIP OF CLASS
ACTION**

PLEASE TAKE NOTICE THAT pursuant to the Court’s February 26, 2024 Minute Order requesting that motions to appoint lead counsel be filed “within one week after the JPML issues decision,” *see Santana v. 23andMe, Inc.*, No. 23-cv-4187-EMC, Dkt. 13 (N.D. Cal.), the *Melvin* Plaintiffs filed the attached Motion to Appoint Interim Leadership of Class Action (the “Motion”) in its member case on April 18, 2024 requesting that the Court appoint Rafey S. Balabanian of Edelson PC as Interim Lead Counsel on behalf of the putative class pursuant to Fed. R. Civ. P. 23(g). *See Melvin v. 23andMe, Inc.*, No. 24-cv-487-EMC, Dkts. 41-42, 44 (N.D. Cal.) (attached hereto as Exhibit A (Motion, accompanying exhibits, and [proposed] order), Exhibit B (Declaration of Rafey S. Balabanian and accompanying exhibit), and Exhibit C (Proof of Service)). A hearing on the Motion is presently scheduled for June 13, 2024 at 1:30 p.m. in Courtroom 5, 17th Floor of the U.S. District Court for the Northern District of California, San Francisco Division, at 450 Golden Gate Avenue, San Francisco, California 94102, via Zoom Webinar. The Zoom Webinar information to access the hearing is: Webinar ID: 161 991 1861, Password: 912881. You can also access a link to the Zoom Webinar information through Judge Chen’s webpage, linked here: <https://www.cand.uscourts.gov/judges/chen-edward-m-emc/>.

Melvin Plaintiffs file this Notice out of an abundance of caution, and to provide the Court and the parties a full record on a single docket. Counsel for all parties were previously served with an electronic copy of the Motion on April 18, 2024. *See* Ex. C (Proof of Service).

Respectfully Submitted,

DAVID MELVIN and J.L., individually and on behalf of all others similarly situated,

Dated: April 22, 2024

By: /s/ J. Eli Wade-Scott
One of Plaintiffs’ Attorneys

Rafey S. Balabanian (SBN 315962)
rbalabanian@edelson.com

EDELSON PC
150 California Street, 18th Floor
San Francisco, California 94111
Tel: 415.212.9300
Fax: 415.373.9435

Jay Edelson (admitted *pro hac vice*)
jedelson@edelson.com
Ari Scharg (admitted *pro hac vice*)
ascharg@edelson.com
J. Eli Wade-Scott (admitted *pro hac vice*)
ewadescott@edelson.com
Michael Ovca (admitted *pro hac vice*)
movca@edelson.com
Emily Penkowski Perez (admitted *pro hac vice*)
epenkowski@edelson.com
Hannah P. Hilligoss (admitted *pro hac vice*)
hhilligoss@edelson.com

EDELSON PC
350 North LaSalle Street, 14th Floor
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378

Counsel for Melvin Plaintiffs and the Putative Class